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10 **UNITED STATES FEDERAL DISTRICT COURT**
11 **FOR THE DISTRICT OF NEVADA - NORTHERN DIVISION**
12

13 RALPH STEPHEN COPPOLA; DOES I to
14 XX,

15 Plaintiffs,

16 vs.

17 DARREN K. PROULX; LAND RESOURCE
18 INVESTMENTS, INC., LAND RESOURCE
19 MANAGEMENT, INC.; MARINA
20 COMMERCIAL OFFICES, LLC; and DOES I
21 to XX,

22 Defendants.
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Case No. 3:2011-CV-00074

**MOTION FOR SANCTIONS
PURSUANT TO FRCP 11**


MOTION FOR SANCTIONS PURSUANT TO FRCP 11

19 Please take notice that Defendants Darren K. Proulx, Land Resource Investments, Inc.,
20 Land Resource Management, Inc., and Marina Commercial Offices, LLC will move for an order
21 sanctioning Plaintiff pursuant to Rule 11(c)(2) if Plaintiff's lawsuit is not dismissed within
22 twenty-one (21) days of service of this motion. Plaintiff's motion will remain unfiled during the
23 twenty-one (21) day period.

24 This motion is based on this notice, the attached memorandum of Points and Authorities,
25 the pleadings, documents and records on file in this action and such further written or oral
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evidence and arguments as may be submitted to the Court as well as any further relevant matters of which the Court may take judicial notice.

Dated this 26th day of July, 2011.


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MEMORANDUM OF POINTS AND AUTHORITIES

I. Plaintiff Should Be Sanctioned Under Rule 11 Because He Brought The Present Lawsuit In Violation Of The Fiduciary Obligations He Owes To Defendants And To Harass Defendants

FRCP 11(b) provides as follows:

(b) Representations to the Court.

By presenting to the court a pleading, written motion, or other paper — whether by signing, filing, submitting, or later advocating it — an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

(1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;

(2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

1 (3) the factual contentions have evidentiary support or, if specifically so
2 identified, will likely have evidentiary support after a reasonable opportunity for
3 further investigation or discovery; and

4 (4) the denials of factual contentions are warranted on the evidence or, if
5 specifically so identified, are reasonably based on belief or a lack of information.

6 **(c) Sanctions.**

7 **(1) In General.**

8 If, after notice and a reasonable opportunity to respond, the court determines that
9 Rule (11)(b) has been violated, the court may impose an appropriate sanction on
10 any attorney, law firm, or party that violated the rule or is responsible for the
11 violation. [...]

12 In Defendants' "Opposition to Motion for Partial Summary Judgment; Counter Motion
13 for Summary Judgment/Adjudication; Motion for Judgment on the Pleadings; Affidavit in
14 Support," filed in the present case on July 26, 2011, and incorporated herein by reference,
15 Defendants thoroughly discuss why the present lawsuit constitutes a violation of the fiduciary
16 responsibilities Plaintiff owes to Defendants' as their former counsel. Defendants also discuss
17 the reasons why Plaintiff fails to adequately plead numerous causes of action, reasons which
18 include Plaintiff's pleading on behalf of fictional "doe plaintiffs" and his disregard for the
19 requirement that a complaint's factual allegations must substantiate all the elements of its causes
20 of action. Furthermore, Defendants discuss the circumstances which make it abundantly clear
21 that the purpose of Plaintiff's lawsuit is to harass his former clients, including Plaintiff's history
22 of filing complaints against Defendants with government agencies and the sheer number of
23 unsubstantiated causes of action Plaintiff includes in the complaint.

24 Under Rule 11, the court may impose sanctions against a party whose pleadings are
25 brought for an improper purpose, such as to harass the opposing party. Here, Plaintiff's filing
26 the lawsuit in violation of his fiduciary responsibilities toward his former clients unquestionably
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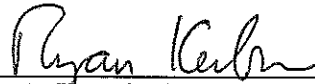
1 renders the lawsuit improper. Furthermore, Plaintiff's intent to harass Defendants is abundantly
2 clear. Therefore, Rule 11 sanctions are warranted.

3 **II. Conclusion**

4 For the reasons set forth above, Defendants respectfully request that this Court grant
5 Defendants' motion and issue Rule 11 sanctions against Plaintiff.
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7 DATED this 26th day of July, 2011.

8 ALESSI & KOENIG, LLC

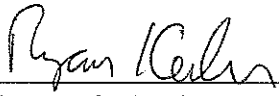
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of July, 2011, I served a copy of the foregoing
MOTION FOR SANCTIONS PURSUANT TO FRCP 11 by placing a copy of said motion in the
US Mail, postage prepaid, addressed as follows:

Ralph Stephen Coppola, Esq.
4785 Rio Pinar Drive
Reno, NV 89509


An employee of Alessi & Koenig, LLC